

REMARKS

This is a full and timely response to the outstanding final Office Action mailed February 4, 2005. Reconsideration and allowance of the application and pending claims are respectfully requested.

I. Claim Rejections - 35 U.S.C. § 112, Second Paragraph

Claim 20 has been rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the Applicant regards as the invention.

Applicant notes that claim 20 has been canceled and therefore requests that the rejection be withdrawn.

II. Claim Rejections - 35 U.S.C. §§ 102(a) & (e)

Claims 1-2 and 5-28 have been rejected under 35 U.S.C. §§ 102(a) & (e) as being anticipated by Kumar (U.S. Pat. No. 6,240,445). Applicant notes that claims 16-28 have been canceled. Applicant respectfully traverses the rejection as to the claims that remain under consideration.

It is axiomatic that “[a]nticipation requires the disclosure in a single prior art reference of each element of the claim under consideration.” *W. L. Gore & Associates, Inc. v. Garlock, Inc.*, 721 F.2d 1540, 1554, 220 USPQ 303, 313 (Fed. Cir. 1983). Therefore, every claimed feature of the claimed invention must be represented in the applied reference to constitute a proper rejection under 35 U.S.C. § 102.

In the present case, not every feature of the claimed invention is represented in the Kumar reference. Applicant discusses the Kumar reference and Applicant’s claims in the following.

Kumar discloses a “shared facsimile message *reception* system.” Kumar, column 4, lines 41-42. In use, the system operates by “notifying a user of the shared system upon *receipt of a facsimile message* destined therefor, though a notification message transmitted to that user.” Kumar, column 4, lines 46-48. As is further described by Kumar, “[u]pon *receipt of a facsimile message* 12, computer 18 forwards a notification message which *indicates such reception to the intended recipient.*” Kumar, column 5, lines 9-11. Accordingly, it can be appreciated that Kumar’s system provides *notices of facsimile reception to intended recipients.*

As is clear from Applicant’s disclosure, Applicant’s systems and methods, at least in one embodiment, provide notifications to a *sender*, not a recipient, of a transmitted document as a way to confirm to the sender that his or her document was indeed transmitted by a transmission device. Applicant has amended the claims to clarify on this point. For example, claim 1 provides as follows (emphasis added):

1. A method for providing *notification that a document was transmitted from a transmission device*, the method comprising:
determining an identity of a sender of a document;
identifying the location of an email account of the document sender; and

sending a transmission notification to the sender’s email account that indicates that the document was transmitted by the transmission device.

In view of the above description of the Kumar disclosure, it is clear that Kumar does not teach any of a “method for providing notification that a document was transmitted from a transmission device”, “determining an identity of a sender of a document”, “identifying the location of an email account of the document sender”, or

“sending a transmission notification to the sender’s email account that indicates that the document was transmitted by the transmission device”. For these reasons, claims 1-7 are allowable over Kumar.

Independent claim 8 is similarly allowable over Kumar. Specifically, Kumar fails to teach any of “means for determining an identity of a sender of a document”, “means for identifying the location of an email account of the document sender”, or “means for sending a transmission notification to the sender’s email account that indicates that the document was transmitted by the transmission device”.

Finally, independent claim 11 is also allowable over Kumar. In particular, Kumar fails to teach a “transmission device” that includes a “notification module that is configured to determine an identity of a document sender and send a transmission notification to an email account of the document sender that indicates that the document was transmitted by the transmission device”.

Due to the shortcomings of the Kumar reference described in the foregoing, Applicant respectfully asserts that Kumar does not anticipate Applicant’s claims. Therefore, Applicant respectfully requests that the rejection of these claims be withdrawn.

III. Claim Rejections - 35 U.S.C. § 103(a)

Claims 3-4 and 20 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Kumar in view of “Official Notice.”

As is identified above in reference to independent claims 1 and 16, Kumar does not teach several explicit limitations of Applicant’s claims. In that Official Notice would not remedy these deficiencies of the Kumar reference, Applicant respectfully

submits that claims 3-4 and 20 are allowable for at least the same reasons that claims 1 and 16 are allowable over Kumar.

IV. Canceled Claims

As identified above, claims 16-28 have been canceled from the application through this Response without prejudice, waiver, or disclaimer. Applicant reserves the right to present these canceled claims, or variants thereof, in continuing applications to be filed subsequently.

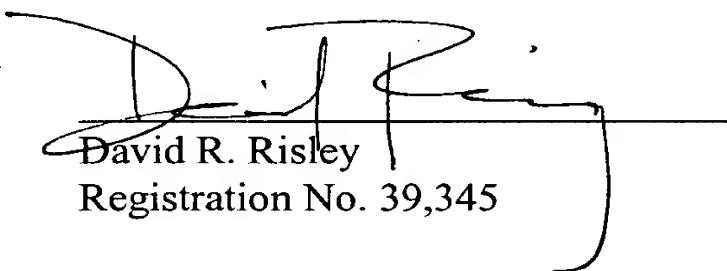
V. New Claims

As identified above, claims 29-31 have been added into the application through this Response. Applicant respectfully submits that these new claims describe an invention novel and unobvious in view of the prior art of record and, therefore, respectfully requests that these claims be held to be allowable.

CONCLUSION

Applicant respectfully submits that Applicant's pending claims are in condition for allowance. Favorable reconsideration and allowance of the present application and all pending claims are hereby courteously requested. If, in the opinion of the Examiner, a telephonic conference would expedite the examination of this matter, the Examiner is invited to call the undersigned attorney at (770) 933-9500.

Respectfully submitted,



David R. Risley
Registration No. 39,345

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to: Assistant Commissioner for Patents, Alexandria, Virginia 22313-1450, on

4-28-05

Mary Melega
Signature